

June 10, 2024

Hon. Sanket Bulsara  
United States Magistrate Judge  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *Soto. v. Houslanger and Associates, PLLC*, No. 19 Civ. 6691 (SJB)**

Dear Judge Bulsara:

We write on behalf of Plaintiffs William Soto, Domingo Tolentino, and Luis Viruet, and the certified settlement class (“Plaintiffs”) to request court approval to issue a small amount of remaining settlement funds as a *cy pres* award. Defendants do not object to this request.

As the Court will recall, Your Honor finally approved the classwide settlement on October 12, 2022, ECF No. 93. Class Counsel then worked closely with the settlement administrator to distribute the vast majority of the \$155,000 in the class settlement account. On May 30, 2024, the settlement administrator advised Class Counsel that there remains a small amount of unclaimed funds in the settlement account, totaling less than \$3,000.

We seek the Court’s leave to use the remaining funds to issue a *cy pres* award to the National Consumer Law Center (NCLC). Such an award would be consistent with the Final Approval Order, which specifically provides: “If further distribution(s) is(are) not feasible, the remainder shall, subject to Court approval, be given as a *cy pres* award to one or more not-for-profit organizations approved by the Court that benefits individuals adversely affected by consumer debt collection practices. Under no circumstances will any funds in the Class Settlement Account revert to Defendants.” ECF No. 93 ¶ 11.<sup>1</sup>

NCLC is a 501(c)(3) nonprofit organization dedicated to consumer protection and its work unquestionably “benefits individuals adversely affected by consumer debt collection practices.” For more than five decades, NCLC has been a leading source of legal and public policy expertise on consumer issues. With a goal of protecting consumers from, and redressing injuries caused by inaccurate, false and misleading statements or omissions by businesses, NCLC has trained and advised tens of thousands of advocates on consumer legal issues, appeared in cases throughout the nation, worked with state and federal commissions and legislatures, written

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<sup>1</sup> Class Counsel have recently been in contact with three class members who had uncashed checks. Class Counsel and the Class Administrator will re-issue their payments and, to the extent additional funds are claimed, such funds will not be included in the *cy pres* award.

investigative reports, and published leading legal practice manuals and consumer guides. Since 1997, NCLC has been approved by courts to receive over 500 *cy pres* and class action settlement awards, all of which have been used to promote consumer protections and equal access to justice for consumers in need of effective legal representation.

Thank you for your consideration.

Respectfully submitted,

/s/ Jessica Ranucci  
Jessica Ranucci  
*Counsel for Plaintiffs*